

106th TN General Assembly

Second Regular Session



Wednesday, May ,19 2010

SENATE CONVENES AT 1:00 P.M., MONDAY, MAY 24, 2010

HOUSE

COMMITTEE REPORTS

CALENDAR & RULES – HHR #16 –

Reg. Cal. #2 5/20 – HB's 3850, 3334, 3259, 2781, HJR 992, HB's 3353, 2522, 1323, 3526.

Con. Cal. #2 5/20 – HJR's 1149, 1041, SJR 798.

1st Calendar week of 5/24 – HJR's 1183, 1257, HB's 2284, 3554, 3735, 3736, SJR's 978, 784, HJR 1121, HB's 3606, 3295.

Taken off notice – HB 1801.

FINANCE, WAYS & MEANS – HHR #16 –

Rec. for pass., ref to C&R – HB's 2781, 3353, 2562, 1323, 3554, 3735, 3736.

Rec. for pass. if am., ref to C&R – HB's 3259, 2522, 3200, 3526, 2284, 3606, 3295.

Rec. for adopt., ref to C&R – HJR's 1257, 1221.

Rec. for adopt. if am., ref to C&R – HJR 1183.

Rec. for concur. if am., ref to C&R – SJR's 978, 784.

Action def. – HB's 3780, 3230, 3834, 2885, 1324, 2927.

CALENDARS FOR THURSDAY, MAY 20, 2010

Consent

1. HR 0372 by *Matheny

Memorials, Interns - Tessa Lunceford - The Abstract summarizes HR0372 as introduced.

2. HR 0373 by *Brooks K

Memorials, Academic Achievement - Zach Brooks, Tennessee State Scholars Program - The Abstract summarizes HR0373 as introduced.

(Consent Calendar cont.)

3. HJR 1294 by *Carr

Memorials, Interns - Jordan Webb Vaughan - The Abstract summarizes HJR1294 as introduced.

4. HJR 1295 by *Evans

Memorials, Professional Achievement - Bath Fitter, Robertson County Chamber of Commerce Business of the Year - The Abstract summarizes HJR1295 as introduced.

5. HJR 1296 by *Evans

Memorials, Academic Achievement - Kyle Fletcher, 2010 Robertson County Chamber of Commerce Outstanding Senior Award - The Abstract summarizes HJR1296 as introduced.

6. HJR 1297 by *Evans

Memorials, Public Service - Freda Herndon, 2010 Robertson County Chamber of Commerce Volunteer of the Year - The Abstract summarizes HJR1297 as introduced.

7. HJR 1298 by *Evans

Memorials, Academic Achievement - Cassie Barnes, 2010 Robertson County Chamber of Commerce Outstanding Senior Award - The Abstract summarizes HJR1298 as introduced.

8. HJR 1299 by *Evans

Memorials, Recognition - Leadership Robertson County, Class of 2010 - The Abstract summarizes HJR1299 as introduced.

9. HJR 1300 by *Evans

Memorials, Recognition - Jordan Hughes, 2010 Robertson County Chamber of Commerce Outstanding Senior Award - The Abstract summarizes HJR1300 as introduced.

10. HJR 1301 by *Evans

Memorials, Academic Achievement - Taylor Odle, 2010 Robertson County Chamber of Commerce Outstanding Senior Award - The Abstract summarizes HJR1301 as introduced.

11. HJR 1302 by *Evans

Memorials, Recognition - Jack Stafford, 2010 Robertson County Chamber of Commerce Outstanding Senior Award - The Abstract summarizes HJR1302 as introduced.

12. HJR 1303 by *Evans

Memorials, Academic Achievement - Caleb Bagwell, 2010 Robertson County Chamber of Commerce Outstanding Senior Award - The Abstract summarizes HJR1303 as introduced.

13. HJR 1304 by *Evans

Memorials, Academic Achievement - Rebecca Morgan, 2010 Robertson County Chamber of Commerce Outstanding Senior Award - The Abstract summarizes HJR1304 as introduced.

14. HJR 1306 by *Yokley

Memorials, Recognition - Matilda "Tilda" Jenkins Webb and the late Dewey Elmer "Zack" Webb - The Abstract summarizes HJR1306 as introduced.

15. HJR 1307 by *Johnson P

Memorials, Personal Achievement - Christopher Lawrence Armstrong, Eagle Scout - The Abstract summarizes HJR1307 as introduced.

16. HJR 1308 by *Shepard, Tidwell

Memorials, Academic Achievement - Trey Arrowood, Salutatorian, East Hickman High School - The Abstract summarizes HJR1308 as introduced.

17. HJR 1309 by *Shepard, Tidwell

Memorials, Academic Achievement - Bethany Castleberry, Valedictorian, East Hickman High School - The Abstract summarizes HJR1309 as introduced.

18. HJR 1310 by *Matlock

Memorials, Recognition - Carl's Drive-Inn, 50th anniversary - The Abstract summarizes HJR1310 as introduced.

19. HJR 1311 by *Ferguson

Memorials, Recognition - Roane County High School Class of 1980 Reunion - The Abstract summarizes HJR1311 as introduced.

20. HJR 1312 by *McDaniel

Memorials, Sports - Scotts Hill High School Lady Lions Basketball Team - The Abstract summarizes HJR1312 as introduced.

(Consent Calendar cont.)

21. HJR 1313 by *McDaniel

Memorials, Recognition - Trooper Dwayne Stanford, Jackson Exchange Club Law Enforcement Officer of the Year - The Abstract summarizes HJR1313 as introduced.

Regular

1. *HJR 0798 by *Jones U, Cobb T, Borchert, Coleman, Brown, Towns

Memorials, Congress - Urges the U.S. Nuclear Regulatory Commission to disapprove the request to import, process, and dispose of low-level radioactive waste from Italy, or any other country, in the United States. - The Abstract summarizes HJR0798 as introduced.

2. *SB 0614 by *Tracy, Ketron (HB 1357 by *Carr)

Municipal Government - As introduced, allows municipalities to take special census at their own expense any time between regular decennial federal censuses. - Amends TCA Section 6-51-114; Title 6, Chapter 56, Part 1; Section 54-4-203; Section 57-5-205 and Section 67-6-103.

3. *HB 2486 by *Harmon (SB 2699 by *Stewart)

Traffic Safety - As introduced, requires certain motor vehicles or trailers transporting loads at night to mount strobe or LED light at back of projecting load. - Amends TCA Title 55, Chapter 9, Part 4.

4. HB 3538 by *Maddox (*SB 2901 by *McNally, Ketron)

Fines and Penalties - As introduced, increases mandatory drug testing fee from \$100 to \$250 and additionally imposes fine on granting of pretrial or judicial diversion. - Amends TCA Title 39, Chapter 17, Part 4.

5. HB 3543 by *Maddox (*SB 2900 by *McNally, Ketron)

Fines and Penalties - As introduced, increases blood alcohol or drug concentration test (BADT) fee from \$100 to \$250, and adds to present offenses mandating such fine conviction of reckless driving or simple possession or casual exchange of controlled substance. - Amends TCA Title 55, Chapter 10, Part 4.

6. HB 3537 by *Maddox (*SB 2902 by *McNally, Ketron)

Tennessee Bureau of Investigation - As introduced, designates fees for certain laboratory procedures conducted by the TBI and allocates proceeds from such fees to a fund for use by the bureau. - Amends TCA Title 38, Chapter 6.

7. SB 1754 by *Marrero B, Ford, O. (*HB 0206 by *Coley, Hardaway, Miller L, Kernell, Lollar, McManus, Cooper B, Todd, Turner J, Camper, DeBerry J, DeBerry L, Towns, Richardson, Jones U, White)

Appropriations - As introduced, appropriates \$300,000 to the Earth Sciences Department at the University of Memphis for the study of ecological tourism. -

8. HR 0369 by *Shaw

Memorials, Recognition - President Barack Obama and his administration - The Abstract summarizes HR0369 as introduced.

9. HB 3997 by *Fitzhugh (SB 3956 by *Norris)

Ripley - As introduced, subject to local approval by referendum, establishes the Ripley Energy Authority. - Amends Chapter 128 of the Private Acts of 2006. - The Abstract summarizes HB3997 as introduced.

10. HB 3998 by *Watson

Polk County - As introduced, subject to local approval, authorizes the levy of a tax or amusement fee on the privilege of whitewater rafting on the Ocoee River. - Amends Chapter 2 of the Private Acts of 1981; as amended. - The Abstract summarizes HB3998 as introduced.

11. HB 2600 by *Lynn (*SB 2449 by *Watson, Crowe)

Sunset Laws - As introduced, extends the board of nursing, June 30, 2011. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 7, Part 2.

12. SB 2636 by *Black (*HB 2671 by *Evans, Armstrong)

Judges and Chancellors - As introduced, exempts judicial commissioners appointed in Robertson County from continuing education requirements for judicial commissioners. - Amends TCA Section 40-1-111.

(Regular Calendar cont.)

13. SB 3586 by *Ketron (*HB 2875 by *Curtiss)

Motor Vehicles - As introduced, authorizes use of red flags made from plastic materials instead of cloth to mark a projecting load on a motor vehicle, subject to commissioner's approval. - Amends TCA Title 55.

14. *HJR 1051 by *Faulkner

General Assembly, Statement of Intent or Position - Directs TWRA to restore slot/length limit for small mouth bass on Norris Lake to five per day with a minimum length of 18 inches. - The Abstract summarizes HJR1051 as introduced.

15. HJR 0759 by *Naifeh, Barker, Maddox, Fitzhugh, Tidwell, Borchert, Shepard, Shaw, Pitts, DeBerry L, Eldridge, Cooper B, Bone, Jones U, McDonald, Moore, Bass, Curtiss, Cobb T, Todd, Lollar, Stewart, Litz

Memorials, Public Service - Congressman John Tanner - The Abstract summarizes HJR0759 as introduced.

16. *SB 2890 by *Gresham (HB 3040 by *Dennis)

Law Enforcement - As introduced, allows a full-time POST-certified law enforcement officer to carry issued but blank subpoenas during course of official duties; permits the officer to complete and serve the subpoena at the scene of a crime or during the course of an investigation. - Amends TCA Title 38.

17. SB 3222 by *Harper, Burks (*HB 3120 by *Gilmore, Cooper B)

Driver Licenses - As introduced, requires circuit court and criminal court clerks to establish driver license recovery plan for certain persons with suspended driver licenses. - Amends TCA Title 55, Chapter 12, Part 1 and Title 55, Chapter 50, Part 5.

Regular #2

1. HB 3850 by *Richardson, Turner M (*SB 3865 by *Kyle, Henry)

Children's Services, Dept. of - As introduced, increases membership of children's services advisory council from 15 to 17; expands members' term length from three to four years; requires council to make an annual report. - Amends TCA Title 37, Chapter 5.

2. *HJR 1041 by *Armstrong, Hensley, Favors

General Assembly, Statement of Intent or Position - Urges the department of health to consider establishing a coordinating committee on chronic obstructive pulmonary disease (COPD); identifying COPD as a chronic disease in order to collect relevant data; and developing a public awareness campaign. -

3. *HB 3334 by *Brooks H, Coley (SB 3234 by *Gresham, Henry, Overbey, Ford, O.)

Treasurer, State - As introduced, requires the department of the treasury to develop and administer a financial literacy program. - Amends TCA Title 49.

4. HB 3259 by *McCord, Shipley, Mumpower, Odom, Fitzhugh, Turner M (*SB 2809 by *Norris)

Uniform Commercial Code - As introduced, gives priority to perfected purchase-money security interests over any taxes assessed by the state, a county, or municipality, taxing district, or other local governmental entity. - Amends TCA Title 67.

5. *HJR 0992 by *West, Dean

Highway Signs - "John M. Stone, Sr., Highway," segment of U.S. Highway 70 in Metropolitan Nashville and Davidson County. -

6. HB 2781 by *Hill (*SB 2709 by *Crowe, Ketron)

Domestic Violence - As introduced, requires persons convicted of domestic assault to attend counseling for the duration of their sentence for such offense. - Amends TCA Title 39, Chapter 13, Part 1.

7. *HB 3353 by *Curtiss, Casada (SB 3598 by *Ketron, Black)

State Government - As introduced, creates a procurement commission, procurement office, and an advisory council on state procurement and regulates the procurement, management, contracting, and disposal of goods and services by the state. - Amends TCA Title 4 and Title 12.

8. *HB 2522 by *Matheny, Carr, Curtiss, Todd, Litz (SB 3317 by *Kelsey)

Sheriffs - As introduced, requires counties that, prior to the effective date of this act, have not already created a civil service board for employees of the sheriff's department to create such a board by October 1, 2010. - Amends TCA Title 8, Chapter 8.

(Regular Calendar #2 cont.)

9. HB 1323 by *Dunn, Harmon, Dean, Fraley, Lundberg, Weaver, Shipley (*SB 0954 by *Overbey)
Transportation, Dept. of - As introduced, revises duties of the commissioner to require the estimated dollar amount needed to implement the long range and coordinated statewide transportation plan be reported to the general assembly every year or more frequently as the commissioner may determine. - Amends TCA Title 4; Title 9; Title 47; Title 54; Title 55 and Title 65.

10. *HB 3526 by *Maddox, Brooks H, Richardson, Hardaway, Odom, Towns, Fraley, Lynn, Curtiss, Matheny, Niceley, Turner M, Gilmore (SB 3341 by *McNally, Tracy, Burchett, Ketron, Stewart, Marrero B, Overbey)
Health Care - As introduced, creates a stand-alone "department of intellectual and developmental disabilities." - Amends TCA Title 2; Title 3; Title 4; Title 8; Title 12; Title 33; Title 36; Title 37; Title 39; Title 40; Title 41; Title 45; Title 49; Title 50; Title 53; Title 55; Title 56; Title 57; Title 63; Title 67; Title 68 and Title 71.

Message

1. *HB 0219 by *Fincher, Cobb T, Hardaway, Windle, Favors, Gilmore, Pruitt (SB 1788 by *Herron, Burks, Stewart, Harper)

TennCare - As introduced, requires the department of health to notify each member of the general assembly of any proposed TennCare program changes that will affect services currently provided to TennCare enrollees. - Amends TCA Title 3 and Title 71.

2. *HB 0270 by *Watson, Rich, Bass, Evans, Lollar, Maggart, Lynn, Campfield, Carr, Shipley, McCormick, Yokley, Weaver, Fincher, Hill, Bell, Brooks H, Hensley, White, Coley, Brooks K, Halford, Roach, Todd, McManus, Ford, Shepard, Jones S, Moore, Floyd, Coleman, Fitzhugh, Shaw, Bone, Fraley, Matheny, Hackworth, Pruitt, Barker, Lundberg, Ferguson, Dunn, Sontany, Litz, Eldridge, Montgomery, Sargent, Faulkner, Harrison, Haynes, Cobb T, Dean, Maddox, Winningham, Hawk, Marsh, Niceley, Swafford, Dennis, Williams (SB 0194 by *Bunch, Johnson, Gresham, Kelsey, Beavers, Tracy, Black, Norris)

Election Laws - As introduced, requires citizenship status to be proven prior to registration to vote and requires certain procedures to ensure identity and citizenship status prior to voting. - Amends TCA Title 2.

3. *SJR 0306 by *Watson, Berke

General Assembly, Directed Studies - Establishes the North Hamilton - Rhea County Creek Management Task Force to study land use practices to manage long-term flooding and develop workable solutions for citizens and governmental entities in the area. -

4. *HB 1184 by *Ford (SB 1299 by *Crowe)

County Officers - As introduced, increases in-service training requirements for constables from 40 hours in the first year to 40 hours each year elected; and requires constable to file certification of completion of such in-service training with county clerk. - Amends TCA Title 8, Chapter 10.

5. *SB 2411 by *Faulk, Yager, Herron (HB 3890 by *Harrison)

Firefighters - As introduced, removes the exemption for Hawkins County from the minimum training requirements for firefighters. - Amends TCA Section 4-24-112.

6. SB 2465 by *Watson, Bunch (*HB 2459 by *Lynn)

Sunset Laws - As introduced, extends alcoholic beverage commission, June 30, 2010. - Amends TCA Title 4, Chapter 29 and Title 57, Chapter 1.

7. HB 2593 by *Lynn (*SB 2428 by *Watson, Johnson)

Sunset Laws - As introduced, extends board of examiners for architects and engineers, June 30, 2011. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 2, Part 2.

8. *HB 2719 by *Campfield (SB 3753 by *Bunch, Gresham, Black)

Firearms and Ammunition - As introduced, authorizes a person with a handgun carry permit to carry a handgun on a greenway that runs through a park, even if a municipality has voted to prohibit firearms in such park. - Amends TCA Section 39-17-1311.

9. HJR 1047 by *Pitts

Naming and Designating - "Parliamentary Law Month," April 2010 -

(Message Calendar cont.)

- 10. HB 2952 by *Brooks H, Hardaway, Haynes, Faulkner (*SB 2703 by *Burchett, Burks, Black, Ford, O.)**
Local Government, General - As introduced, prohibits law enforcement officers from being punished or rewarded according to number of traffic citations issued or collected upon. - Amends TCA Title 39, Chapter 16 and Title 55, Chapter 8.
- 11. SB 3034 by *Faulk (*HB 3034 by *Casada)**
Alcoholic Beverages - As introduced, adds Sligo Marina in Dekalb County to those facilities authorized to sell alcoholic beverages for on-premises consumption as a premier type tourist resort. - Amends TCA Section 57-4-102.
- 12. *HB 3057 by *Dennis, Pitts, Rich, White, DeBerry J, Stewart, Coley, Hardaway (SB 3039 by *Faulk, Finney L)**
Real Property - As introduced, requires cause of action to recover balance due upon sale of real property to foreclose a deed of trust, mortgage, or other lien where the mortgaged property sells for less than the amount due. - Amends TCA Title 25; Title 28 and Title 35.
- 13. *HB 3291 by *Lynn (SB 3181 by *Watson, Ketron, Bunch)**
Sunset Laws - As introduced, extends the Tennessee court of the judiciary, June 30, 2011. - Amends TCA Title 4, Chapter 29 and Title 17, Chapter 5.
- 14. *HB 3404 by *Ramsey (SB 3526 by *Overbey, Ford, O.)**
Municipal Government - As introduced, authorizes any municipality, including those incorporated by private act, to change the date of municipal elections by ordinance to coincide with the August or November general elections and to extend the terms of incumbents to meet the new date so long as no term is extended for more than two years. - Amends TCA Title 6.
- 15. HB 3428 by *Hackworth, Litz (*SB 3003 by *Berke, Barnes)**
Adoption - As introduced, assesses an administrative fee of \$50.00 if a defendant in a termination of parental rights case is provided with court-appointed counsel. - Amends TCA Section 40-14-103.
- 16. HB 3480 by *Matlock (*SB 2847 by *Southerland, Ford, O., Overbey, Finney L, Faulk, Ketron)**
Funeral Directors and Embalmers - As introduced, authorizes board to grant reciprocity to persons licensed and employed as a funeral director in another state for five years. - Amends TCA Section 62-5-311.

HOUSE CONVENES AT 9:00 A.M., THURSDAY, MAY 20, 2010